



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/820,704

04/09/2004

Katsunori Enomoto

119407

8737

25944 7590 08/21/2008

OLIFF & BERRIDGE, PLC  
P.O. BOX 320850  
ALEXANDRIA, VA 22320-4850

EXAMINER

PACHOL, NICHOLAS C

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

08/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/820,704	<b>Applicant(s)</b> ENOMOTO, KATSUNORI	
	<b>Examiner</b> Nicholas C. Pachol	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 2-4, filed 05/21/08, with respect to the rejection(s) of claim(s) 1 and 12 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tada (US 6,144,777) in view of Takeuchi (US 5,978,614) further in view of Andersen (US 6,646,768). Andersen teaches the detection of where the document is placed, the automatic document feeder or the flatbed, by detecting if the lid is open or closed.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tada (US 6,144,777) in view of Takeuchi (US 5,978,614) further in view of Andersen (US 6,646,768).

Regarding Claim 1, Tada teaches a copying apparatus (Column 3, lines 25) for copying an image read from an original having a long side and a short side to a recording medium (Column 3, lines 29-32 and Column 7 line 25), the copying apparatus comprising:

- a second original placement section with a predetermined orientation of the long and short sides of the original to be placed (Column 3, lines 24-28);

- a feeder that transports the original from the first original placement section (Column 4, lines 28-42);

- an image read section that reads the image from the original that has been transported from the first original placement section while the image read section is stationary or from the original that has been placed on the second original placement section while the image read section is moved relative to the original (Figure 1, element 10, and Column 3, lines 40-43);

- a storage section that stores data of the image read by the image read section (Figure 1, element 30, and Column 6, lines 20-27);

- an image orientation specifying section that specifies whether the top and bottom orientation of the image of the original placed in the first or second original placement section is in parallel with the long side of the original or in parallel with the short side of the original (Column 6, lines 28-28);

- an image formation section that forms the image on the recording medium (Figure 1, element 70 and Column 3, lines 52-53); and

a control section that causes the image formation section to form the images of a plurality of originals read by the image read section on one side of one recording medium in a predetermined layout based on the detection result of the detection section and the specification of the image orientation specifying section (Column 5, lines 52-55).

Tada does not teach a first original placement section with a predetermined orientation of the long and short sides of the original to be placed; and

a detection section that detects which of the first and second original placement sections the original is placed in.

However, Takeuchi does teach a first original placement section with a predetermined orientation of the long and short sides of the original to be placed (Column 2, lines 28-36 and Column 1, lines 13-19).

Tada and Takeuchi are combinable because they both are dealing with a copier.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tada with the teachings of Takeuchi to allow for successive scanning of documents as well as being able to scan one sheet at a time (Takeuchi: Column 1, lines 13-19).

Andersen does teach a detection section that detects which of the first and second original placement sections the original is placed in (Column 4, lines 3-18, wherein if the lid is open then the document is on the flatbed).

Tada and Andersen are combinable because they both deal with the process of scanning a document with an automatic document feeder.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tada with the teachings of Andersen for the purpose of detecting both the leading edge of a document and the opening of the cover with one sensor (Andersen: Column 3, lines 34-41).

Regarding Claim 2, Tada further teaches wherein the image read section reads the image by scanning (Column 3, line 61- Column 4, line 5).

Regarding Claim 3, Tada in view of Takeuchi teaches wherein a scanning direction, which is parallel with the orientation of the short side of the original, of the image read section when an original is placed in the first original placement section (Takeuchi: Column 31-59) differs from a scanning direction, which is parallel with the orientation of the short side of the original, of the image read section when an original is placed in the second original placement section (Tada: Column 7, lines 33-38).

Tada and Takeuchi are combinable because they both are dealing with a copier.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tada with the teachings of Takeuchi to allow for successive scanning of documents as well as being able to scan one sheet at a time (Takeuchi: Column 1, lines 13-19).

Regarding Claim 4, Tada in view of Takeuchi wherein a subscanning direction of the image read section parallel with the orientation of the long side of the original when

Art Unit: 2625

the original is placed in the first original placement section (Takeuchi: Column 31-59) is opposite to a subscanning direction of the image read section parallel with the orientation of the long side of the original when the original is placed in the second original placement section (Tada: Column 7, lines 33-38).

Tada and Takeuchi are combinable because they both are dealing with a copier.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tada with the teachings of Takeuchi to allow for successive scanning of documents as well as being able to scan one sheet at a time (Takeuchi: Column 1, lines 13-19).

Regarding Claim 5, Tada further teaches wherein the image read section reads the images of a plurality of originals while scaling down the images at a predetermined scaling factor and the control section causes the image formation section to form the images of the plurality of originals read by the image read section on one side of one recording medium in a predetermined layout (Column 4, lines 48-67).

Regarding Claim 6, Tada further teaches wherein the control section scales down the images of the plurality of originals read by the image read section at a predetermined scaling factor and causes the image formation section to form the images on one side of one recording medium in a predetermined layout (Column 9, line 58- Column 10 line 50).

Regarding Claim 7, Tada further teaches wherein the control section selectively causes the image formation section to form the images of two originals read by the image read section on one side of one recording medium in a predetermined layout and causes the image formation section to form the images of four originals read by the image read section on one side of one recording medium in a predetermined layout (Column 10, lines 12-27 and Lines 46-56).

Regarding Claim 8, Tada further teaches wherein when a plurality of originals are transported in order from the first original placement section by the feeder and the control section causes the image formation section to form the images of two originals read by the image read section on one side of one recording medium in the predetermined layout, the control section rotates the two images in a different direction depending on whether the top and bottom orientations of the two images are parallel with the long side or the short side of the original, and causes the image formation section to form the rotated two images on one side of one recording medium (Figure 15, and Column 8, lines 3-14, where the second section already combined with Tada from Takeuchi).

Regarding Claim 9, Tada further teaches wherein when a plurality of originals are placed in the second original placement section in order and the control section causes the image formation section to form the images of two originals read by the image read section on one side of one recording medium in the predetermined layout, the control



Art Unit: 2625

section rotates the two images in the same direction regardless of whether the top and bottom orientations of the two images are parallel with the long side or the short side of the original, and causes the image formation section to form the rotated two images on one side of one recording medium (Figure 15 and Column 8, lines 3-14).

Regarding Claim 10, Tada further teaches wherein when a plurality of originals are transported in order from the first original placement section by the feeder and the control section causes the image formation section to form the images of four originals read by the image read section on one side of one recording medium in the predetermined layout, the control section does not rotate the four images regardless of whether the top and bottom orientations of the four images are parallel with the long side or the short side of the original, and causes the image formation section to form the four images on one side of one recording medium (Figure 21 and Column 8, lines 43-58 where the second section already combined with Tada from Takeuchi).

Regarding Claim 11, Tada further teaches wherein when a plurality of originals are placed in the second original placement section in order and the control section causes the image formation section to form the images of four originals read by the image read section on one side of one recording medium in the predetermined layout, if the top and bottom orientations of the four images are parallel with the long side of the original, the control section does not rotate the four images and causes the image formation section to form the four images on one side of one recording medium and if

Art Unit: 2625

the top and bottom orientations of the four images are parallel with the short side of the original, the control section rotates the four images 180° and causes the image formation section to form the rotated four images on one side of one recording medium (Figure 21 and Column 8, lines 43-58).

5. Claims 12-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Tada (US 6,144,777) in view of Andersen (US 6,646,768).

Regarding Claim 12, Tada teaches a method of operating a copying apparatus including a image read unit to read an image from an original having a long side and a short side placed in a first original placement section or a second original placement section with a predetermined orientation (Figure 1, element 10, and Column 3, lines 40-43), and an image formation unit to form the image on a recording medium (Figure 1, element 70 and Column 3, lines 52-53), the method comprising the steps of:

detecting step of detecting which of the first and second original placement sections the original is placed in;

specifying step of specifying whether the top and bottom orientation of the image of the original is in parallel with the long side of the original or in parallel with the short side of the original (Column 6, lines 28-28);

reading step of reading the image from the original (Figure 1, element 10, and Column 3, lines 40-43); and

forming step of forming the images of a plurality of originals read by the reading step on one side of one recording medium in a predetermined layout based on the detection result and the specification (Figure 1, element 70 and Column 3, lines 52-53).

Tada does not teach detecting step of detecting which of the first and second original placement sections the original is placed in.

However, Andersen does teach detecting step of detecting which of the first and second original placement sections the original is placed in (Column 4, lines 3-18, wherein if the lid is open then the document is on the flatbed).

Tada and Andersen are combinable because they both deal with the process of scanning a document with an automatic document feeder.

Therefore it is obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tada with the teachings of Andersen for the purpose of detecting both the leading edge of a document and the opening of the cover with one sensor (Andersen: Column 3, lines 34-41).

Regarding Claim 13, Tada further teaches wherein the forming step includes forming the images of two originals read by the reading step on one side of one recording medium in a predetermined layout (Column 4, lines 48-67) and forming the images of four originals read by the reading step on one side of one recording medium in a predetermined layout (Column 10, lines 12-27 and Lines 46-56).

Regarding Claim 14, Tada further teaches wherein the forming step includes rotating the images of originals read by the reading step and forming the images on one side of one recording medium in a predetermined layout based on the detection result, the specification and the number of images to be formed on the one recording medium (Column 8, lines 26-30 and Column 9, lines 43-51).

Regarding Claim 15, Tada further teaches wherein the reading step includes reading the image from the original while scaling down the image at a predetermined scaling factor (Column 8, lines 3-6 and 43-46).

Regarding Claim 16, Tada further teaches wherein the forming step includes scaling down the images of the originals read by the reading step at a predetermined scaling factor (Column 8, lines 3-6 and 43-46).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone

Art Unit: 2625

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.P.

08/14/08

/Twyler L. Haskins/

Supervisory Patent Examiner, Art Unit 2625